

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ELIJAH VICTOR FUHR,)

Defendant.)

CASE NO. CR05-391RSM

DETENTION ORDER

Offense charged:

Violation of the special condition of his bond that he have no direct or indirect contact with co-defendants.

Date of Detention Hearing: January 4, 2006

The Court, having conducted a bond revocation and a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Ron Friedman and Rich Cohen. The defendant was represented by Robert Goldsmith.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant admitted to the violation of passing a non-threatening message to co-defendant, Colleen Flock, through her niece, Brandy Williams, on December 29, 2005 and by attempting to contact Ms. Flock at her residence in Auburn Washington on December 30, 2005.
- (2) The Court finds no justification to warrant a 3:00 a.m. visit by the defendant to co-defendant Flock.

(3) Due to the nature and seriousness of the crime alleged, release of the defendant would pose a risk to the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 9th day of January, 2006.



MONICA J. BENTON
United States Magistrate Judge